IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 613 OF 2006

Jamunaprasad Pandey.] .. Petitioner

Versus

1. Under Secretary, Govt. of India and]
and 4 ors.] .. Respondents

Ms. S. Kamble i/b Ranjana Todankar for the petitioner.

Mr. Y.S. Bhate with Mr. S.R. Prajapati for the respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 27TH MARCH, 2006

P.C. :

. The O.A. filed by the petitioner was dismissed on the ground that the petitioner had not applied for condonation of delay. Petitioner was removed from service in the year 1993. O.A. was filed in the year 2000 i.e. after a period of seven years. Against the rejection of the O.A., petitioner had preferred a Writ Petition before this Court. A learned Bench of this Court, though the petitioner and his Advocate both were absent, set aside the order giving an opportunity to the petitioner to apply before the

Tribunal within a period of three weeks. That was not done. It appears thereafter petitioner took up the matter in conciliation. Failure report was submitted. The appropriate Government, however, refused to make a Reference and it is in these circumstances that the petitioner has moved this Court.

2. Considering the fact that the petitioner has filed an O.A. which was dismissed and petitioner was given an opportunity for applying for condonation of delay, the question of the appropriate Government thereafter referring the matter under the Industrial Disputes Act would not arise. Hence Petition rejected.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]